
***IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA***

GLENN M. ROSS <i>and</i> MARTHA ROSS, h/w	:	CIVIL ACTION
142 Chinaberry Drive	:	
Lafayette Hill, PA 19444	:	
v.	:	JURY TRIAL DEMANDED
THE CATHOLIC UNIVERSITY OF AMERICA	:	
620 Michigan Avenue NE	:	
Washington, D.C. 20064	:	No.

NOTICE OF REMOVAL OF CIVIL ACTION

1. This civil action, pursuant to the provisions of 28 U.S.C. §1441(a), is a case or controversy brought in a State court, of which the district courts of the United States have original jurisdiction pursuant to the provisions of 28 U.S.C. §1332, as is more fully set forth below.

2. The Catholic University of America is the defendant in the civil action commenced on February 19, 2020, in the Court of Common Pleas Philadelphia County, First Judicial District of Pennsylvania, at Docket number 200202190, entitled *Glenn M. Ross and Martha Ross, h/w, Plaintiffs, vs. The Catholic University of America, Defendant.*

SUBJECT MATTER JURISDICTION

4. This civil action is between is between Citizens of different States, pursuant to the provisions of 28 U.S.C. §1332(a)(1), in that:

(a) Plaintiffs Glenn M. Ross and Martha Ross, h/w, are individuals who reside at 142 Chinaberry Drive, Lafayette Hill, PA 19444, and are therefore citizens of the Commonwealth of Pennsylvania.

(b) The Catholic University of America is a congressionally-chartered corporation with its principal place of business located at 620 Michigan Avenue NE, Washington, D.C. 20064,

and therefore is a citizen of the District of Columbia for purposes of the provisions of 28 U.S.C. §1332(c)(1).

5. Furthermore, pursuant to the provisions of 28 U.S.C. §1441(b), none of the parties in interest properly joined and served as defendants is a citizen of the State in which this action is brought.

6. Defendant The Catholic University of America believes and therefore avers that the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, pursuant to the provisions of 28 U.S.C. §1332(a)(1), based on the averments of Plaintiffs' Complaint.

VENUE

6. The United States District Court for the Eastern District of Pennsylvania, pursuant to the provisions of 28 U.S.C. §1441(a), is the district court of the United States for the district and division embracing the place where such action is pending.

TIMELINESS OF REMOVAL

7. Defendant The Catholic University of America believes and therefore avers that this Notice of Removal is timely filed, pursuant to the provisions of 28 U.S.C. §1446(b). The earliest service "of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based", as set forth in 28 U.S.C. §1446(b), upon any defendant herein was made on defendant The Catholic University of America, no earlier than February 24, 2021, and this Notice of Removal is filed within thirty days after such receipt.

OTHER REQUIREMENTS OF 28 U.S.C. §1446

8. A true copy of Plaintiff's Complaint and Plaintiffs' Writ of Summons, which constitute all process, pleadings, and orders served upon defendant The Catholic University of America in this action, are attached hereto, pursuant to the provisions of 28 U.S.C. §1446(a), incorporated herein by reference and marked as Exhibit "A" and Exhibit "B", respectively.

9. Defendant The Catholic University of America has given written notice of this Notice of

Removal promptly after the filing thereof to all adverse parties, pursuant to the provisions of 28 U.S.C. §1446(d), as set forth in the attached Certification of Service.

10. Defendant The Catholic University of America shall file a certified copy of this Notice of Removal with the Prothonotary of the Court of Common Pleas Philadelphia County, Pennsylvania, the clerk of the State court in which this action was originally filed, pursuant to the provisions of 28 U.S.C. §1446(d).

WHEREFORE, defendant herein file this Notice to remove the above action now pending in Court of Common Pleas Philadelphia County, First Judicial District of Pennsylvania, at Docket number 200202190, from that Court to this Court.

Date: March 19, 2021.

Respectfully submitted,

LAW OFFICES OF W. KELLY McWILLIAMS

Validation of Signature Code: JRM4406 / S / *John R. McHaffie*

By: _____
JOHN R. McHAFFIE, ESQUIRE
Attorney for defendant
The Catholic University of America
john.mchaffie@thehartford.com
PA ATTORNEY ID No. 37429
1515 MARKET STREET, SUITE 1802
PHILADELPHIA, PA 19102
(215) 446-7669 / FAX (215) 564-0109

CERTIFICATION OF SERVICE

I hereby certify that I have served a true and correct copy of this document on the following counsel and parties of record, by first class mail, postage prepaid, and/or by electronic mail ("e-mail") to "glennrosspc@comcast.net", on March 19, 2021.

Glenn M. Ross, Esquire / GLENN M. ROSS, P.C.
566 South Bethlehem Pike, Fort Washington, PA 19034
Attorney for Plaintiffs Glenn M. Ross and Martha Ross, h/w

In addition, this document has been filed electronically and is available for viewing and downloading from the ECF system.

Validation of Signature Code: JRM4406

/ S / *John R. McHaffie*

By: _____
JOHN R. McHAFFIE, ESQUIRE
Attorney for defendant
The Catholic University of America
john.mchaffie@thehartford.com
PA ATTORNEY ID No. 37429
1515 MARKET STREET, SUITE 1802
PHILADELPHIA, PA 19102
(215) 446-7669 / FAX (215) 564-0109

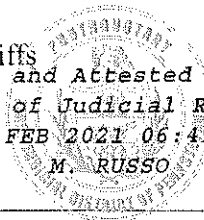
EXHIBIT "A"

EXHIBIT "A"

Glenn M. Ross, P.C.
 Glenn M. Ross, Esquire (#44537)
 566 S. Bethlehem Pike
 Fort Washington, PA 19034
 (215) 643-7200

Attorney for Plaintiffs

Filed and Attested by the
 Office of Judicial Records
 15 FEB 2021 06:49 pm



GLENN M. ROSS, AND
 MARTHA ROSS (H/W)
 142 Chinaberry Drive
 Lafayette Hill, PA 19444-2321

COURT OF COMMON PLEAS

PHILADELPHIA COUNTY

Plaintiffs.

vs.

No. 200202190

THE CATHOLIC UNIVERSITY
 OF AMERICA
 620 Michigan Ave NE
 Washington, DC 20064
 Philadelphia, PA 19147

Defendant.

NOTICE TO DEFEND

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after the complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

PHILADELPHIA BAR ASSOCIATION
 Lawyer Referral and Information Service
 1101 Market Street, 11th Floor
 Philadelphia, Pennsylvania 19107
 (215) 238-6300

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO. VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

ASOCIACIÓN DE LICENCIADOS DE FILADELFA
 Servicio De Referencia E Información Legal
 1101 Market Street, 11th Floor
 Philadelphia, Pennsylvania 19107
 (215) 238-6300

Glenn M. Ross, P.C.
 Glenn M. Ross, Esquire (#44537)
 566 S. Bethlehem Pike
 Fort Washington, PA 19034
 (215) 643-7200

Attorney for Plaintiffs

GLENN M. ROSS, AND	:	
MARTHA ROSS (H/W)	:	COURT OF COMMON PLEAS
142 Chinaberry Drive	:	
Lafayette Hill, PA 19444-2321	:	PHILADELPHIA COUNTY
Plaintiffs.	:	
vs.	:	No. 200202190
THE CATHOLIC UNIVERSITY	:	
OF AMERICA	:	
620 Michigan Ave NE	:	
Washington, DC 20064	:	
Philadelphia, PA 19147	:	
Defendant.	:	

COMPLAINT IN CIVIL ACTION
(CODE 2V- MOTOR VEHICLE NEGLIGENCE)

Glenn M. Ross, and Martha Ross (H/W), hereinafter “the Plaintiffs”, aver as follows:

1. Plaintiffs are adult individuals who reside at the above captioned address.
2. The Catholic University of America, hereinafter “the Defendant”, is a business, company, entity or corporation existing in Washington D.C., with a registered office for acceptance of service or principal place of business at the address listed in the caption of the Complaint.
3. On or about February 20, 2018, a motor vehicle that was leased by the Defendant and operated by Matthew Christian Donohue, hereinafter “Donohue”, who at the time of the alleged accident herein was an employee of the Defendant.

4. Donohue collided with Glenn Ross, hereinafter "Mr. Ross", at the intersection of Henry Avenue and Schoolhouse Lane in Philadelphia, Pennsylvania.
5. Venue is appropriate as the collision took place within Philadelphia County.
6. The Defendant's vehicle was operated so carelessly and negligently that it caused it to collide with Mr. Ross, who sustained injuries and other losses more fully set forth hereafter.

COUNT 1

**PLAINTIFF, GLENN ROSS v. DEFENDANT THE CATHOLIC UNIVERSITY OF
AMERICA – NEGLIGENCE VIA RESPONDEAT SUPERIOR**

7. Plaintiffs incorporate by reference hereto, all the allegations contained prior to this paragraph as though they were set forth at length.
8. At the time that the Defendant's vehicle collided with Mr. Ross, Donohue was acting during and within the scope of his employment with the Defendant.
9. At all times relevant hereto, the Defendant had a duty to ensure that its agents operated its motor vehicles in a safe and reliable manner.
10. Donohue acted negligently and carelessly by taking actions that consisted of the following:
 - a. operating the aforementioned vehicle at an excessive rate of speed;
 - b. failing to have proper and adequate control of the vehicle so as to avoid accidents;
 - c. failing to warn of the approach of the aforementioned vehicle with due regard for the rights and safety of Mr. Ross;
 - d. failing to keep a proper lookout;
 - e. failing to stop;
 - f. failing to stay in proper lane of travel;

- g. careless and/or improper lane changes;
- h. careless and/or improper turning;
- i. in being otherwise careless and negligent, the particulars of which are presently unknown to Mr. Ross, but which may be learned by discovery procedures provided by the Pennsylvania Rules of Civil Procedure or which may be learned at the trial of this case.

11. The aforesaid accident was due solely to the negligence and carelessness of the Defendant, acting as aforesaid, and was due in no manner whatsoever to any act or failure to act on the part of Mr. Ross.
12. As a result of this accident, Mr. Ross has suffered injuries which are or may be serious and permanent in nature, including, but not limited to: contusions, abrasions and tissue damage to the left hand, left arm, head and knee; severe tremors to the extremities; generalized anxiety; a crippling and ongoing fear of driving; and other injuries as may be diagnosed by Plaintiff's health care providers, all of which injuries have in the past, and may in the future, cause Plaintiff great pain and suffering.
13. As a further result of this accident, Mr. Ross has been or will be required to receive and undergo medical attention and care and to expend various sums of money and to incur various expenses and may be required to continue to expend such sums or incur such expenditures for an indefinite time in the future.
14. As a further result of this accident, Mr. Ross has or may hereinafter suffer a severe loss of earnings and impairment of earning power and capacity.
15. As a further result of this accident, Mr. Ross has or may hereinafter suffer medically determinable physical, and/or mental impairment, including, but not limited to, post-

traumatic stress disorder, which prevents him from performing all or substantially all the material acts and duties that constituted his usual and customary activities prior to the accident.

16. As a direct and reasonable result of this accident, Mr. Ross has incurred, or may incur, other financial expenses that exceed or may exceed the amount which Mr. Ross may otherwise be entitled to recover.

17. As a further result of this accident, Mr. Ross has suffered severe physical pain, mental anguish, and humiliation, and may continue to suffer same for an indefinite time in the future.

WHEREFORE, Plaintiff, Glenn Ross, demands judgment against the Defendant in an amount in excess of \$50,000.00, plus interest, reasonable attorneys' fees, and costs.

COUNT 2

**PLAINTIFF, MARTHA ROSS v. DEFENDANT THE CATHOLIC UNIVERSITY OF
AMERICA – LOSS OF CONSORTIUM**

18. Plaintiffs incorporate by reference hereto, all the allegations contained prior to this paragraph as though they were set forth at length.

19. Martha Ross, hereinafter "Mrs. Ross", is the legally married spouse of Mr. Ross.

20. Prior to accident, Mr. Ross and Mrs. Ross were happily married.

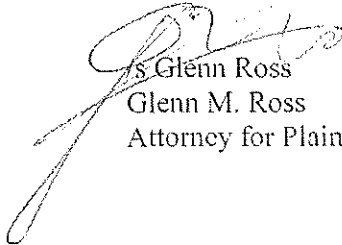
21. As a result of the accident involving the Defendant and Mr. Ross, Mrs. Ross has suffered a loss of companionship due to the scope and extent of Mr. Ross's injuries.

22. The loss of companionship experienced by Mrs. Ross came about solely because of the Defendant's negligence and carelessness in causing the aforementioned accident.

23. As a result of the Defendant's conduct, Mrs. Ross will never again be able to experience the type of happy marriage that she had prior to the accident.

WHEREFORE. Plaintiff, Martha Ross, demands judgment against the Defendant in an amount in excess of \$50,000.00, plus interest, reasonable attorneys' fees, and costs.

Respectfully Submitted,

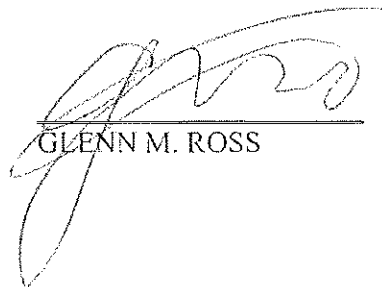


s Glenn Ross
Glenn M. Ross
Attorney for Plaintiffs

VERIFICATION

GLENN M. ROSS, ESQUIRE, being duly affirmed according to law, does depose and say that he is a Plaintiff named in this action and that the statements set forth in the foregoing Complaint, are true and correct to the best of his knowledge, information and belief.

This Verification is given pursuant to the provisions of 18 Pa.C.S.A., Section 4904 relating to unsworn falsification to authorities and the penalties therefor.



GLENN M. ROSS

EXHIBIT "B"

EXHIBIT "B"

Commonwealth of Pennsylvania
COUNTY OF PHILADELPHIA

**Filed and Attested by the
Office of Judicial Records
19 FEB 2020 02:56 pm
A. SILIGRINI**

Glenn M. Ross and Martha Ross, H/W

Plaintiff

COURT OF COMMON PLEAS

Term, 20

vs.

No. _____

The Catholic University of America

Defendant

To¹

The Catholic University of America

620 Michigan Ave NE

Washington, DC 20064

Writ of Summons

You are notified that the Plaintiff²

Usted esta avisado que el demandante

Glenn M. Ross and Martha Ross, his wife

142 Chinaberry Drive

Lafayette Hills PA 19444-2321

Has (have) commenced an action against you.

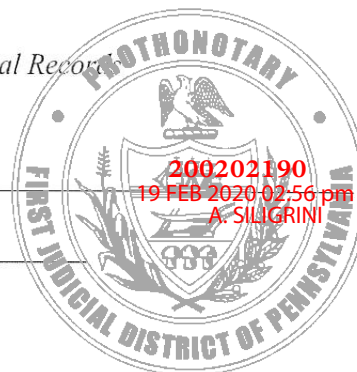
Ha (han) iniciado una accion en contra suya.

ERIC FEDER

Director, Office of Judicial Records

By: _____

Date: _____



¹ Name(s) of Defendant(s)

² Name(s) of Plaintiff(s)

Court of Common Pleas

____ Term, 20 ____

No. ____

Glenn M. Ross and Martha Ross, H/W

Plaintiff

vs.

The Catholic University of America

Defendant

SUMMONS

GLENN M. ROSS, ESQUIRE
Supreme Court I.D. No. 44537
566 S. Bethlehem Pike
Fort Washington, PA 19034
Telephone: (215) 643-7200

Attorney for Plaintiff

Glenn M. Ross and Martha Ross (H/W)	:	IN THE COURT OF COMMON PLEAS
142 Chinaberry Drive	:	OF PHILADELPHIA COUNTY
Lafayette Hill, PA 19444-2321	:	CIVIL ACTION
Plaintiffs.	:	
vs.	:	No.
	:	
The Catholic University of America	:	
620 Michigan Ave NE	:	
Washington, DC 20064	:	

Participant List

Glenn M. Ross
142 Chinaberry Drive
Lafayette Hill, PA 19444-2321

Martha Ross
142 Chinaberry Drive
Lafayette Hill, PA 19444-2321

The Catholic University of America
620 Michigan Ave NE
Washington, DC 20064